

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DEVIN KILPATRICK, et al.,)	
)	
Plaintiffs,)	7:03CV5017
)	
vs.)	ORDER
)	
PAT KING, et al.,)	
)	
Defendants.)	

This matter is before the court on the defendants' Motion for Leave to Supplement the Record (Filing No. 181). In the defendants' motion, they ask the court for leave to supplement the record through the filing of an Index of Evidence and related exhibits in support of their Motion for Summary Judgment Based upon Qualified Immunity (Filing No. 179). The defendants attached to the motion an affidavit of counsel explaining that the court's electronic filing system could not accommodate the exhibits in electronic format and additional time is needed to file the exhibits with the Clerk of Court via conventional methods. **See** Filing No. 181, Attachment. The defendants' counsel states the Index of Evidence and related exhibits were served upon the plaintiffs via U.S. mail on the date the defendants filed the Motion for Summary Judgment Based upon Qualified Immunity. **Id.** Upon consideration,

IT IS ORDERED:

The defendants' Motion for Leave to Supplement the Record (Filing No. 181) is granted. The defendants have to **on or before September 23, 2005**, in which to file their Index of Evidence and related exhibits in support of their Motion for Summary Judgment Based upon Qualified Immunity.

DATED this 19th day of September, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge